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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,932	02/14/2001	Dan Kikinis	004688.P011	1334
52940	7590	10/06/2006	EXAMINER	
TODD S. PARKHURST HOLLAND & KNIGHT LLP 131 S. DEARBORN STREET 30TH FLOOR CHICAGO, IL 60603			MUHEBBULLAH, SAJEDA	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/783,932	KIKINIS ET AL.	
	Examiner	Art Unit	
	Sajeda Muhebbullah	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3,6,7,9,11-14 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,6,7,9,11-14 and 21-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This communication is responsive to Amendment filed 7/07/2006.
2. Claims 1, 3, 6-7, 9, 11-14 and 20-24 are pending in this application. Claims 1, 3, 7, 9 and 21-24 are independent claims. In the Amendment, claims 1, 3, 6-7, 9, 11-14 and 21-24 were amended. This action is made Final.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 6-7, 9, and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohkura et al. ("Ohkura", US 6,005,601) in view of Special Edition Using Windows NT Workstation 4.0 ("Windows NT").

As per claim 1, Ohkura teaches a computer-implemented method for displaying data associated with an electronic program guide, comprising:

displaying one or more movable slide knobs concurrently with the electronic program guide (Fig. 10, *movable slide knobs 100X1, 100X2, 100Y, 100Z*);

displaying electronic program guide data corresponding to a position of the one or more moveable slide knobs (Fig. 10; *AREA Y*); and

wherein said data corresponding to the position of the moveable slide knob is changed in a frame buffer or a video buffer as a user changes a position of said one or more moveable slide knobs (Fig. 17; col. 15, lines 12-25).

However, Ohkura does not teach displaying slide knobs positioned on a representation of an analog clock. Windows NT teaches the display of data on an analog clock adjustable by means of slidable arrow buttons (page 1, lines 15-18; Figure E.10). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Windows NT's teaching with Ohkura's method as an alternative means of displaying data.

Independent claims 3, 7 and 9 are individually similar in scope to independent claim 1, and are therefore rejected under similar rationale.

As per claim 6, Ohkura teaches the device wherein the slide knob on the analog clock indicates a series of programs to be viewed (Fig.10, *AREA Y*).

As per claim 11, Ohkura teaches the computer-implemented method further comprising, displaying a plurality of movable slide knobs on the analog clock concurrently with the electronic program guide, wherein each moveable slide knob on the analog clock corresponds to a different incremental value (Fig.10, *movable slide knobs 100X1, 100X2, 100Y, 100Z*).

Claims 12-14 are individually similar in scope to claim 11, and are therefore rejected under similar rationale.

5. Claims 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohkura et al. ("Ohkura", US 6,005,601) and Special Edition Using Windows NT Workstation 4.0 ("Windows NT") in view of Bryan, Jr et al. ("Bryan", US 5,559,301).

As per claim 20, the system of Ohkura and Windows NT teaches the system wherein the time can be changed via a sliding mechanism (Ohkura, Fig.10, *Area X2*). However, the system of Ohkura and Windows NT does not teach the system comprising a minute hand grab mechanism. Bryan teaches a system of displaying data wherein a grab mechanism may be used

Art Unit: 2174

in place of a sliding mechanism to change data (Bryan, col.8, 55-67; col.9, lines 1-11). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Bryan's teaching with the system of Ohkura and Windows NT in order to provide the user an alternative approach to swiftly changing parameter settings.

As per claim 21, Ohkura teaches a computer-implemented method for displaying data associated with an electronic program guide, comprising:

displaying one or more mechanisms having at least an hour hand mechanism concurrently with the electronic program guide (Fig.10, *hour hand sliding mechanism 100X2*); displaying electronic program guide data corresponding to a position of the hour hand mechanism (Fig.10, *AREA Y*); and

wherein said data corresponding to the position of the mechanism is changed in a frame buffer or a video buffer as a user changes a position of said hour mechanism (Fig.17; col.15, lines 12-25).

However, Ohkura does not teach an analog-type mechanism having at least a grab mechanism positioned on a representation of an analog clock. Windows NT teaches the display of data on an analog clock adjustable by means of slidable arrow buttons (Windows NT, page 1, lines 15-18; Figure E.10). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Windows NT's teaching with Ohkura's method as an alternative means of displaying data. Furthermore, Bryan teaches a system of displaying data wherein a grab mechanism may be used in place of a sliding mechanism to change data (Bryan, col.8, 55-67; col.9, lines 1-11). It would have been obvious to one of ordinary skill in the art at

Art Unit: 2174

the time of the invention to include Bryan's teaching with the method of Ohkura and Windows NT in order to provide the user an alternative approach to swiftly changing parameter settings

Claims 22-24 are individually similar in scope to claim 21, and are therefore rejected under similar rationale.

*Response to Arguments*

6. Applicant's arguments with respect to claims 1, 3, 6-7, 9, 11-14 and 21-24 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

*Christine Lincaid*  
CHRISTINE LINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

Art Unit: 2174

*Communications*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajeda Muhebbullah whose telephone number is (571) 272-4065. The examiner can normally be reached on Tuesday/Thursday and alt. Mondays from 8:30 am to 5:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The central fax number for the organization where correspondence for this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

***Sajeda Muhebbullah***

***Patent Examiner***

***Art Unit 2174***